

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Gary L. Wise, # 285974,)	C/A NO. 6:04-1752-CMC-WMC
)	
Plaintiff,)	ORDER
)	
v.)	
)	
Eileen Judson Palmer, NP at Lieber)	
Medical Facility; Jasmen Morales, a/k/a)	
Yasminnie Morales, LPN at Lieber)	
Medical Facility; Ryan Hutchinson, Doctor)	
and Head Physician at Lieber Medical)	
Facility; Martha Gedert, a/k/a)	
Marti Gederts, Director and Health Care)	
Administrator; Glenn Alewine, M.D.;)	
Jamil A. El-Shami, NP, Individually and in)	
their Official Capacities,)	
)	
Defendants.)	
_____)	

This matter is before the court on Plaintiff's "Motion for Application of Appealability," originally filed in the Fourth Circuit Court of Appeals. As this matter is an action proceeding under 42 U.S.C. § 1983, no certificate of appealability is necessary. Therefore, Plaintiff's motion is **dismissed** as it is inapplicable to this matter.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
June 2, 2006